



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

September 25, 2013

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Third District

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To: Supervisor Mark Ridley-Thomas, Chairman  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in blue ink, appearing to read "wtf" followed by a stylized flourish.

## SACRAMENTO UPDATE

### Executive Summary

This memorandum contains reports on the following:

- **Update on the State's Prison Population Reduction Plan.** A report on the response from the Federal three-judge panel to the Governor's request to extend the deadline to reduce the State prison population.
- **Status of County-Advocacy Legislation**
  - **County-supported SB 4 (Pavley)** - related to hydraulic fracturing, was signed by the Governor on September 20, 2013.
- **Status of Legislation of County Interest.** Updates on three measures of County interest related to: 1) increasing the State minimum wage; 2) minor and non-minor parents; and 3) a proposed constitutional amendment to the California Records Act and the Brown Act.

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### State Prison Population Reduction Plan

On September 24, 2013, the Federal three-judge panel overseeing the State prison overcrowding litigation granted a 30-day extension to the Governor to reduce the prison population to the court-ordered population cap. The three-judge panel also ordered the

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State to immediately initiate confidential negotiations with lawyers representing plaintiffs in the litigation that resulted in the court-ordered prison population reduction plan.

As reported on September 12, 2013, Governor Brown signed **SB 105 (Steinberg and Huff)**, which is the compromise plan that reduces the State prison population to meet the Federal three-judge panel's court order without any early releases and invests in longer-term solutions. The compromise plan also included the Administration's intention to file a petition with the Federal three-judge panel asking for a three-year extension of the population cap deadline of December 31, 2013.

In their response to the Governor's request, the three-judge panel approved a 30-day extension, to January 27, 2014, for the State to meet the court-imposed population cap and directed the State to begin discussions with plaintiffs to discuss long-term and lasting solutions to State prison overcrowding. These discussions could include, but not be limited to, California's three-strike laws, detention of juveniles, the elderly and medically infirm, the detention of individuals on Federal immigration holds, the early release of low-risk prisoners, and any other options. The three-judge panel ordered the State and plaintiffs to report back to the court on the progress of these discussions by October 21, 2013.

#### **Status of County-Advocacy Legislation**

**County-supported SB 4 (Pavley)**, which would establish provisions for the regulation of oil and gas well stimulation, known as hydraulic fracturing, was signed by the Governor on September 20, 2013, and it is Chapter 313, Statutes of 2013. This measure becomes effective January 1, 2014. Specifically, this measure would:

- 1) Require an independent scientific study on well stimulation treatments, such as hydraulic fracturing and acid injection to be conducted by January 1, 2015;
- 2) Provide a comprehensive regulatory framework for the regulation of well stimulation treatments in California;
- 3) Require air and water quality monitoring by State agencies and local water quality boards in districts where well stimulation treatments take place;
- 4) Require the State Water Resources Control Board, on or before July 1, 2015, to develop a groundwater monitoring model criteria to be implemented either on a well-by-well basis or on a regional scale, on how to conduct appropriate

monitoring on individual oil and gas wells, subject to a well stimulation treatment to protect all waters designated for beneficial uses and to prioritize the monitoring of groundwater that is, or has the potential to be, a source of drinking water;

- 5) Require that a copy of the approved well stimulation treatment permit and information on the available water sampling and testing be provided to every tenant of the surface property and every surface property owner or authorized agent with a certain radius of the well;
- 6) Require the State to commence a process to develop an Internet Web site for operators to report specific information related to well stimulation treatment and require the site to be operational no later than January 1, 2016;
- 7) Specify that well stimulation treatments as defined are allowed until the regulations are implemented as long as the owner operator of the well complies with certain disclosure requirements;
- 8) Require the Division of Oil, Gas, and Geothermal Resources (DOGGR) to conduct an environmental impact report (EIR) pursuant to the California Environmental Quality Act (CEQA) in order to provide the public with detailed information regarding any potential environmental impacts of well stimulation in the State; and
- 9) Require that DOGGR certify that EIR no later than July 1, 2015.

In his signing message, the Governor directed the California Department of Conservation, when implementing the bill, to develop an efficient permitting program for well stimulation activities that groups permits together based on factors such as known geological conditions and environmental impact, while providing for more particularized review in other situations when necessary. The Governor also noted that he would work with Senator Pavley next year to make clarifying amendments to the bill.

#### **Status of Legislation of County Interest**

**AB 10 (Alejo)**, which would increase the current State minimum wage of \$8.00 per hour to not less than \$9.00 per hour by July 1, 2014, and further increase the minimum wage to \$10.00 per hour by January 1, 2016, was signed by the Governor on September 25, 2013. AB 10 could have an impact on various County programs, including but not limited to, the In-Home Supportive Services Program, child care, and senior employment programs. **This office is working with all County Departments that could be potentially impacted by this measure.**

Each Supervisor  
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**SB 528 (Yee)**, which would: 1) authorize a social worker to provide a dependent child age 12 years or older with age-appropriate, medically accurate information about sexual development, reproductive health, prevention of unplanned pregnancies and other specified information; 2) encourage child welfare agencies to update case plans for pregnant and parenting dependents within 60 calendar days of the date the agency is informed of a pregnancy; and 3) specify that child welfare agencies may hold a specialized conference to assist pregnant or parenting foster youth and non-minor dependents with planning for healthy parenting; among other provisions, was signed by the Governor on September 23, 2013, and it is Chapter 338, Statutes of 2013. This measure becomes effective January 1, 2014.

**SCA 3 (Leno)**, which would place an initiative on the June 2014 Statewide Primary ballot seeking voter approval to amend the State Constitution to require local government agencies to comply with the current provisions of, and any future amendments to, the California Public Records Act and Ralph M. Brown Act at their own cost, was signed by the Governor and filed with the Secretary of State on September 20, 2013. This measure is Resolution Chapter 123 of 2013.

We will continue to keep you apprised.

WTF:RA  
MR:VE:IGEA:ma

c: All Department Heads  
Legislative Strategist  
Local 721  
Coalition of County Unions  
California Contract Cities Association  
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